



ORDINANCE NUMBER 2613

S-301
online

AN ORDINANCE OF THE CITY OF FARMERS BRANCH, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF FARMERS BRANCH, TEXAS, AS HERETOFORE AMENDED; SO AS TO GRANT A SPECIFIC USE PERMIT-INTERIM USE TO ALLOW OUTDOOR STORAGE OF PIPE AND OTHER PLUMBING SUPPLIES FOR A PERIOD OF THREE (3) YEARS (TO EXPIRE ON FEBRUARY 1, 2004) ON A 1.6 ACRE TRACT OF LAND SPECIFICALLY DESCRIBED AS THE GREGORY ADDITION AND MORE COMMONLY KNOWN AS 1641 KEENAN BRIDGE ROAD WITHIN THE PLANNED DEVELOPMENT NO. SEVENTY-SEVEN (PD-77) ZONING DISTRICT; PROVIDING FOR CONDITIONS OF OPERATION; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00); PROVIDING FOR INJUNCTIVE RELIEF; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Farmers Branch deems it necessary, for the purpose of promoting the health, safety, morals, or general welfare of the City to enact a new zoning ordinance; and

WHEREAS, the City Council has appointed a Planning and Zoning Commission to recommend the boundaries of the various original zoning districts and appropriate regulations be enforced therein and to recommend a new zoning ordinance to amend the Comprehensive Zoning Ordinance; and

WHEREAS, the Planning and Zoning Commission has divided the City into districts and has prepared regulations pertaining to such districts in accordance with a comprehensive plan and designed to lessen congestion in the streets; to secure safety from fire, panic, and other dangers; to promote health, general welfare; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements; and

WHEREAS, the Planning and Zoning Commission, has given reasonable consideration, among other things, the character of the districts and their peculiar suitability for particular uses, with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the City; and

ATTACHMENT 3 (7 PAGES)

WHEREAS, the applicant in Zoning Case #01-SU-05 is in full compliance with the requirements of Ordinance 1871, and has agreed to be bound by the provisions contained therein and in the application; and

WHEREAS, the City Council finds and determines, on the basis of facts presented on the application for a Specific Use Permit-Interim Use and at the public hearings, the following:

1. That the proposed use is consistent with existing uses of adjacent and nearby property;
2. That the proposed use is not consistent with: (a) the reasonable foreseeable uses of adjacent and nearby property anticipated to be in place upon expiration of the term of the Specific Use Permit-Interim Use; and (b) the use of the property contemplated by the City's Comprehensive Plan, as in effect on the date of granting of said permit;
3. That the proposed use will not impair development of adjacent and nearby property in accordance with said Comprehensive Plan during the period for which the Specific Use Permit-Interim Use is in effect;
4. That the proposed use will not adversely affect the City's Thoroughfare Plan and traffic patterns, as in effect at the time of granting of said permit, and as contemplated by the City's Comprehensive Plan; and
5. That any investment contemplated to be made by the applicant in the property subsequent to or in reliance upon the issuance of the permit may reasonably be expected to be recovered prior to the expiration date of the permit; and

WHEREAS, the Planning and Zoning Commission of the City of Farmers Branch and the City of Farmers Branch City Council, in compliance with the Charter and Code of Ordinances of the City of Farmers Branch, and the state law with reference to the granting of changes to the zoning classifications under the Zoning Ordinance Regulations and Zoning Map, have given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally, and to the persons interested and situated in the affected area and in the vicinity thereof, the governing body of the City of Farmers Branch is of the opinion that due to a change in condition and in order to protect the public health, welfare and safety, said change in zoning should be made;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, TEXAS

SECTION 1. That all matters stated in the preamble are found to be true and correct and are incorporated herein as if copied in their entirety.

SECTION 2. That the Comprehensive Zoning Ordinance of the City of Farmers Branch, Texas, be, and the same is hereby amended, by amending the Zoning Map of the City of Farmers Branch so as to grant a Specific Use Permit-Interim Use, for a period of three (3) years (to expire on February 1, 2004) to allow outdoor storage of pipe and other plumbing supplies within an approximately 41,000 square foot fenced area on a 1.6 acre tract of land specifically described as the Gregory Addition and more commonly known as 1641 Keenan Bridge Road and located within the Planned Development No. Seventy-seven (PD-77) zoning district.

SECTION 3. That the above described property shall be used only in the manner and for the purpose provided by the Comprehensive Zoning Ordinance of the City of Farmers Branch as herein amended by the granting of a Specific Use Permit-Interim Use and approval of an associated site plan for outdoor storage of pipe and other plumbing supplies in accordance with the approved site plan attached as Exhibit "A".

SECTION 4. The Specific Use Permit-Interim Use shall expire on February 1, 2004.

SECTION 5. By August 16, 2001, the applicant shall resurface the existing asphalt parking area and entry drive with a new asphalt surface.

SECTION 6. That any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Farmers Branch, and upon conviction shall be punished by a fine not to exceed the sum of two thousand (\$2,000.00) dollars for each offense.

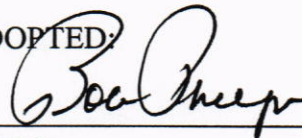
SECTION 7. If any section, paragraph, subdivision, clause, phrase, or provision of this ordinance shall be judged invalid or unconstitutional, the same shall not affect the validity of this ordinance as whole or any portion thereof other than that portion so decided to be invalid or unconstitutional.

SECTION 8. In addition to, and accumulative of all other penalties, the City shall have the right to seek injunctive relief for any and all violations of this ordinance.

SECTION 9. This ordinance shall take effect immediately from and after its passage and publication of the caption of said ordinance, and as the law in such case provides.

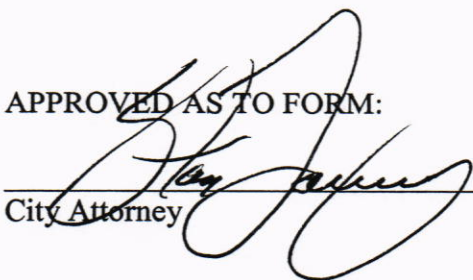
Duly passed by the City Council of the City of Farmers Branch, Texas, on this the 16th day of July, 2001.

ADOPTED:



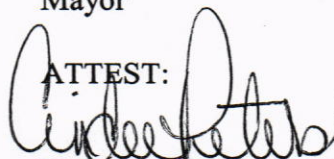
Mayor

APPROVED AS TO FORM:

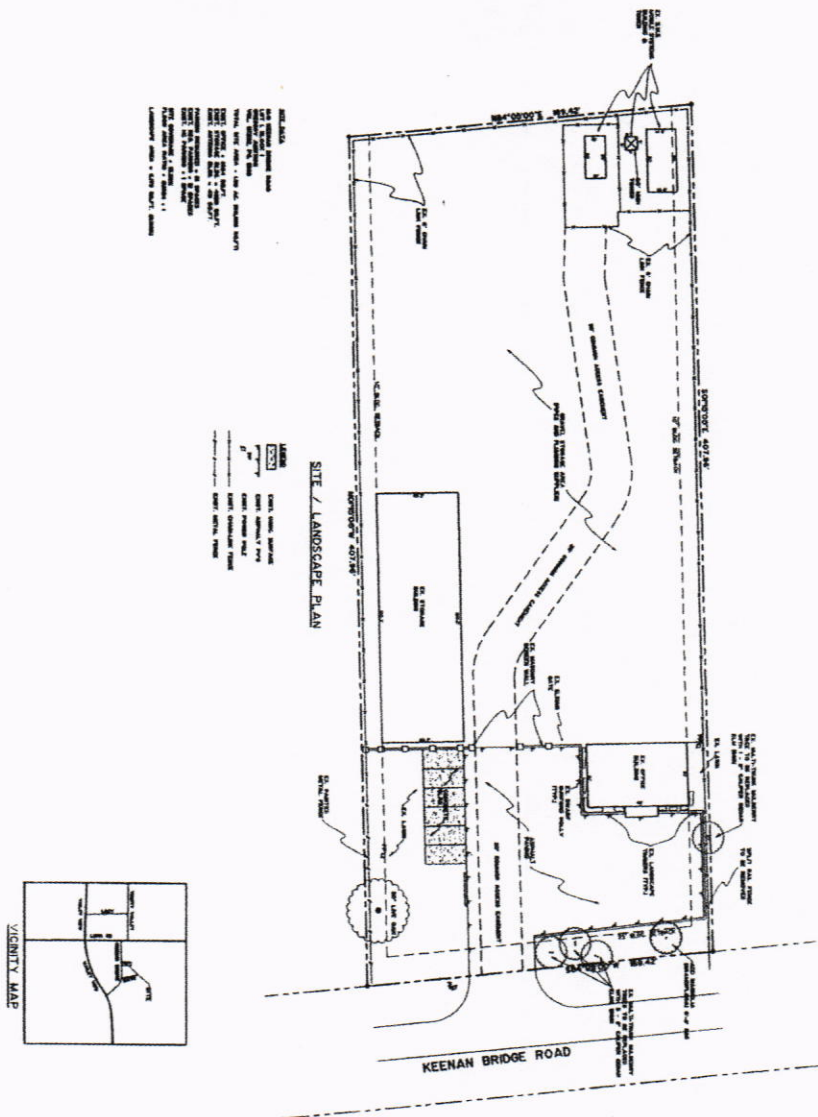


City Attorney

ATTEST:

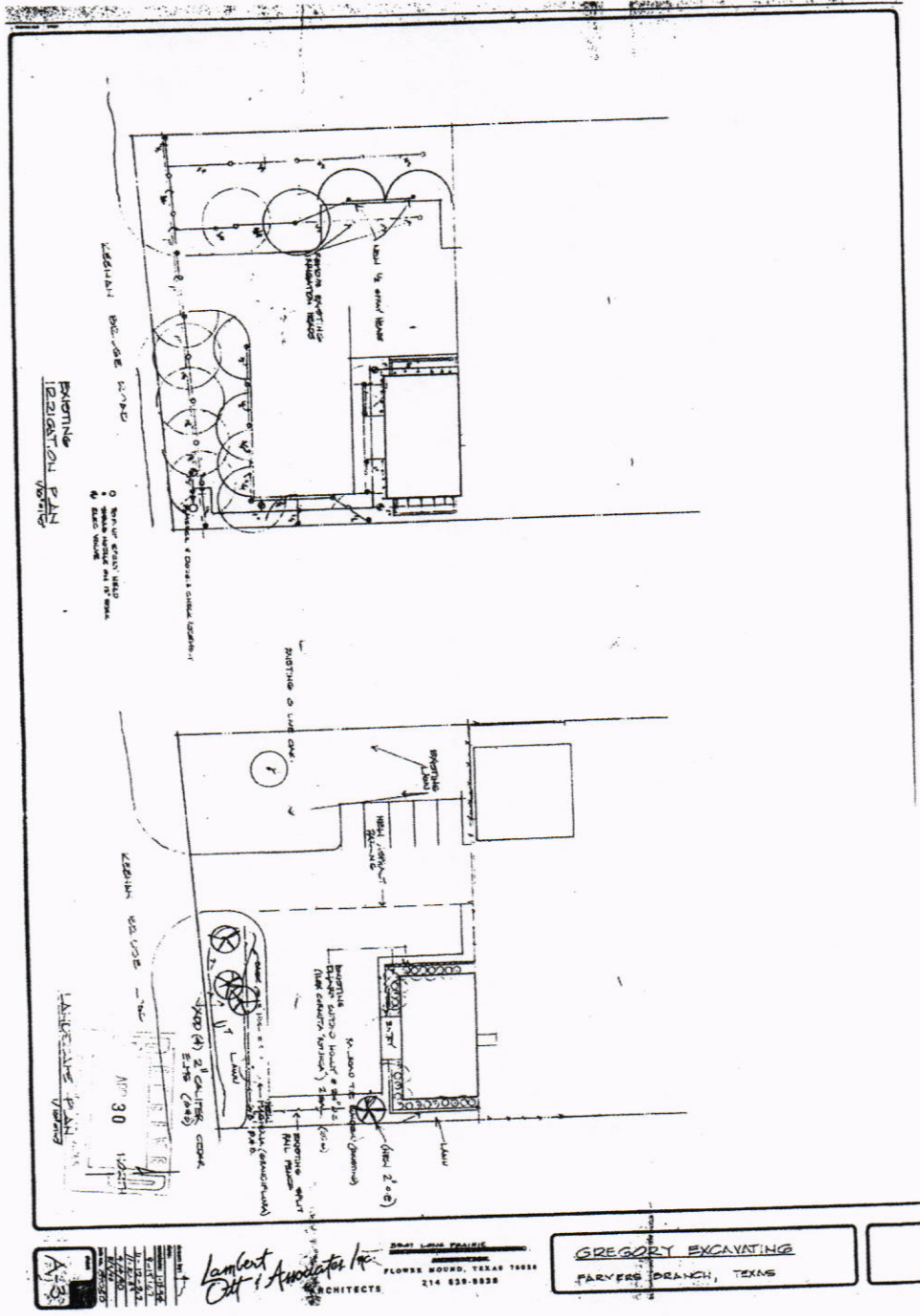


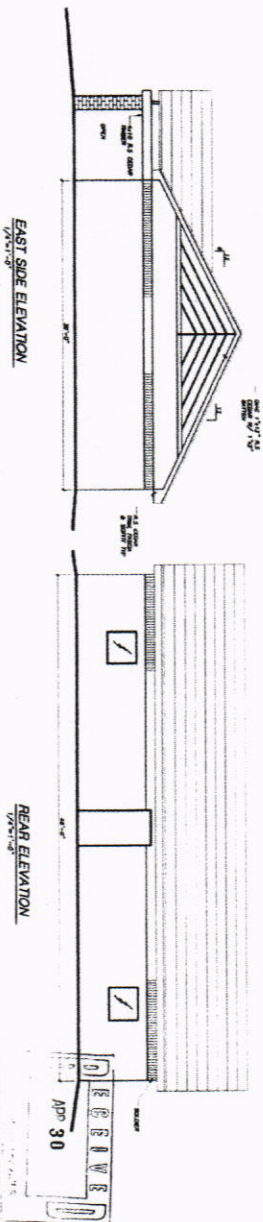
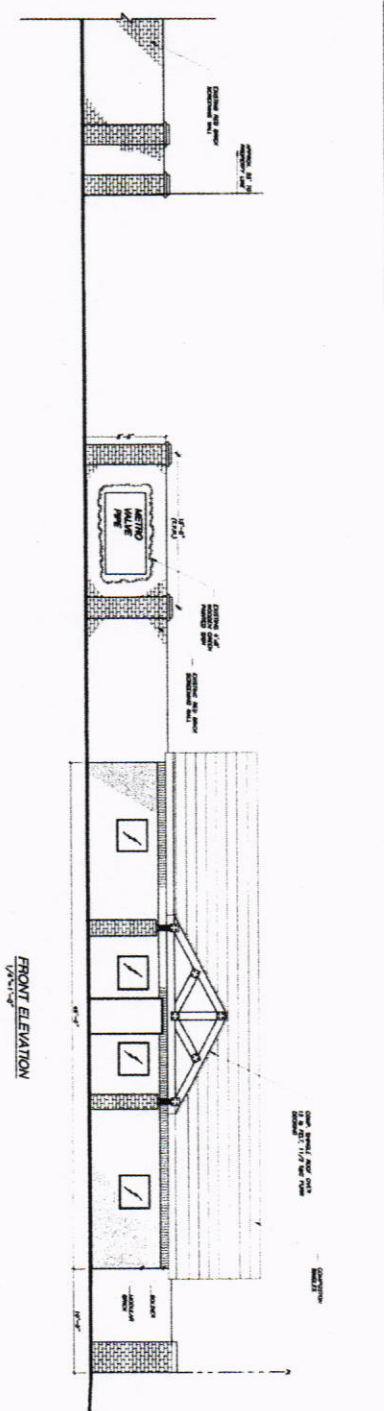
City Secretary



SITE PLAN
OF
LOT 1, BLOCK 1
GREGORY ADDITION
VOLUME 8732, PG. 1369
PACIFIC
TY. OF FARMERS BRANCH, TEXAS







EXIST. OFFICE BLDG. ELEVATION	
241 KEEVAN BRIDGE ROAD	
LOT 1, BLOCK 1	
GREGORY ADDITION	
CITY OF FARMERS BRANCH, TEXAS	
PREPARED BY: [Signature]	
DATE: [Date]	
SCALE: [Scale]	
SHEET NO. 2	